



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JLP:ddj

Docket No: 489-99

20 June 2000

[REDACTED]

[REDACTED] MAN.

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by NAVCRUITCOM memorandum 1133 SER 3423/06278 of 17 May 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY RECRUITING COMMAND
5722 INTEGRITY DR.
MILLINGTON, TENNESSEE 38054-5057

IN REPLY REFER TO:

1133
Ser 3423/06278
17 May 00

From: Commander, Navy Recruiting Command
To: Executive Director, Board for Correction of Naval Records

Subj: REQUEST ICO [REDACTED]

Ref: (a) DIRECTOR MILITARY PERSONNEL PLANS AND POLICY DIVISION
(N13) LTR 1130 SER N132C4/9U97760 of 18 MAY 99

(b) COMNAVCRUITCOMINST 1130.8F (CRUITMAN-ENL)

1. Recommend disapproval. Per reference (a), OSVETS will be enlisted in paygrade E-1 unless they meet reference (b) criteria for enlistment in advanced pay grade E-2 or higher. If they have skills or training determined by CNRC (Code 34)/N13 ECM to be directly convertible to an enclosure (2) of reference (b) rating will be enlisted in paygrade E-1 unless eligible for advanced paygrade E-2/E-3 with a guarantee for a rating/program. [REDACTED] record indicates he does not meet the necessary criteria to warrant the advanced pay grade E-3 upon enlistment.

2. This is an advisory memorandum for use by the Board for Correction of Naval Records only. Enclosure (1) is returned.

[REDACTED]
By direction